IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF TEXAS

TYLER DIVISION

RICHARD PAYNE, #620984 §

VS. § CIVIL ACTION NO. 6:14cv519

WILLIAM STEPHEN, ET AL.

ORDER OF DISMISSAL

Plaintiff Richard Payne, an inmate confined at the Michael Unit of the Texas prison system, filed the present civil rights lawsuit pursuant to 42 U.S.C. § 1983. The complaint was referred to United States Magistrate Judge K. Nicole Mitchell, who issued a Report and Recommendation for the disposition of the case. Payne has filed objections.

The Report of the Magistrate Judge, which contains her proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration, and having made a *de novo* review of the objections raised by Payne to the Report, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and the objections raised by Payne lack merit. Therefore the Court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of the Court. It is accordingly

ORDERED that the Report and Recommendation (docket #123) is **ADOPTED**. It is further

ORDERED that the Defendants McArthur, Raymond and Rozell's motion for summary judgment (docket entry #101) is **GRANTED**. It is further

ORDERED that the complaint is **DISMISSED** with prejudice. It is finally

ORDERED that all motions by either party not previously ruled on are **DENIED**.

It is SO ORDERED.

SIGNED this 2nd day of December, 2015.

MICHAEL H. SCHNEIDER

UNITED STATES DISTRICT JUDGE